

Misbranding of the article was alleged in the libel for the reason that it was an imitation of another article.

On January 23, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**13006. Adulteration of chestnuts. U. S. v. 6 Cases of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19211. I. S. No. 15563-v. S. No. E-5033.)**

On December 2, 1924, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 6 cases of chestnuts, at Pittsburgh, Pa., alleging that the article had been shipped by Scaramelli Co., from New York, N. Y., on or about October 29, 1924, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On January 23, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**13007. Adulteration and misbranding of Concord grape soda water flavor. U. S. v. 35 Gallons of Superb Brand True Concord Grape Soda Water Flavor. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18813. I. S. No. 17758-v. S. No. C-4429.)**

On July 1, 1924, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 35 gallons of Superb brand true Concord grape soda water flavor, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by Hurty, Peck & Co., from Indianapolis, Ind., June 13, 1924, and transported from the State of Indiana into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Label on keg) "Superb Brand True Concord Grape Soda Water Flavor \* \* \* Contains No Artificial Flavor Hurty-Peck & Co. \* \* \* Indianapolis, Indiana."

Adulteration of the article was alleged in the libel for the reason that an artificially-flavored imitation product had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength and had been substituted wholly or in part for the said article, and in that it was colored in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the statement "True Concord Grape Soda Water Flavor—Contains No Artificial Flavor" was false and misleading and deceived and misled the purchaser, and in that it was an imitation of and offered for sale under the distinctive name of another article.

On December 15, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**13008. Adulteration and misbranding of cottonseed meal. U. S. v. the Buckeye Cotton Oil Co. Plea of guilty. Fine, \$100. (F. & D. No. 17796. I. S. Nos. 3182-v, 3189-v, 3406-v.)**

On April 15, 1924, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Buckeye Cotton Oil Co., a corporation, trading at Macon, Ga., alleging shipment by said company, in violation of the food and drugs act, in various consignments, namely, on or about September 29 and October 25, 1922, and January 9, 1923, respectively, from the State of Georgia into the State of Florida, of quantities of cottonseed meal which was adulterated and misbranded. The article was labeled in part: (Tag) "Buckeye Good Cottonseed Meal Manufac-